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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,504	06/09/2006	Sung Soon Choi	075820-0015	2913
20277 7590 04/01/2010 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			EXAMINER PHAN, JOSEPH T	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 04/01/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/582,504

**Applicant(s)**

CHOI, SUNG SOON

**Examiner**

JOSEPH T. PHAN

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 rejected under 35 U.S.C. 102(e) as being anticipated by Uppaluru, Patent #6785154.

1. A method for providing a ring back tone service by using a Play Announcement message based on an intelligent network, the method comprising the steps of:

(a) receiving information on a receiving terminal from a Mobile Switching Center on the side of the receiving terminal that is required for call receipt; Co) in case that the receiving terminal subscribes to the ring back tone service, forming a communication line between the Mobile Switching Center and the coloring player;

(c) in case that the communication line is formed, receiving an Assist Request 10 Instruction from the coloring player;

(d) transmitting the Play Announcement message including an identification number of the receiving terminal, to the coloring player; and

(e) enabling a sound source corresponding to the identification number of the receiving terminal included in the Play Announcement message to be transmitted from a 15

coloringserver to the coloring player, so as to be played.

2.The method of claim 1, wherein communication protocol between the coloring player and the coloring server is Transmission Control Protocol/Interact Protocol (TCP/IP).

3.The method of claim 1, wherein the coloring player recognizes an identification number parameter of the receiving terminal and/or an identification number parameter of a sending terminal that has required the call receipt.

4.The method of claim 1, wherein the coloring player directly interoperates with the coloring server.

5.The method of claim 1, wherein the information of the receiving terminal includes the identification number thereof and/or information on subscription of 30 additional service thereof.

6.The method of claim 1, wherein the mobile switching center includes a Service Switching Point (SSP) supporting the entire access of the intelligent network.

7.

The method of claim 1, wherein the Play Announcement message includes an identification number of a sending terminal that has required the call receipt.

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A system for providing a ring back tone service by using a Play Announcement message based on an intelligent network, the system comprising:

a Mobile Switching Center (MSC) transmitting information of a receiving terminal that is required for call receipt and interoperating with a coloring player, so as to connect a call therebetween

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a Service Control Point (SCP) receiving the information of the receiving terminal from the Mobile Switching Center (MSC), so as to transmit the Play Announcement message (PA message) including an identification number of the receiving terminal;

a coloring player receiving a sound source corresponding to the identification number of the receiving terminal, so as to play the same in a sending terminal that has required the call receipt; and

a Coloring server (CRS) transmitting the sound source corresponding to the identification number of the receiving terminal to the coloring player.

9.

The system of claim 8, further comprising:

a coloring database storing at least one ring back tone sound source data; and

a subscriber database storing personal information on a subscriber who has subscribed to the ring back tone service and information on the ring back tone sound 25 source data selected by each subscriber.

10. The system of claim 8, wherein the coloring server comprises a coloring database storing at least one ring back tone sound source data and a subscriber database storing personal information on a subscriber who has subscribed to the ring back tone service and information on the ring back tone sound source data selected by each subscriber.

11.

The system of claim 8, wherein the Mobile Switching Center includes a Service

Switching Point supporting the entire access of the intelligent network.

12.The system of claim 8, wherein in case that a communication line is formed between the Mobile Switching Center and the coloring player, the coloring player transmits an Assist Request Instruction to the Service Control Point.

13.The system of claim 8, wherein communication protocol between the Mobile Switching Center and the Service Control Point and/or between the coloring player and 10 the Service Control Point is Intelligent Network Application Protocol (INAP).

14.The system of claim 8, wherein communication protocol between the Mobile Switching Center and the coloring player is ISDN user part (ISUP) protocol.

5.The system of claim 8, wherein communication protocol between the coloring player and the coloring server is Transmission Control Protocol/Internet Protocol (TCP/IP).

16.The system of claim 8, wherein the coloring player recognizes an identification number parameter of the receiving terminal and/or an identification number parameter of a sending terminal that has required the call receipt, from the Play Announcement message.

17.The system of claim 8, ,,,,'herein the coloring player directly interoperates with 25 the coloring server.

18.The system, of claim 8, wherein the information on the receiving terminal includes the identification number thereof and/or information on subscription of additional service thereof.

The system of claim 8, wherein the receiving terminal and the sending terminal include a Personal Digital Assistant (PDA), a cellular phone, a Personal Communication

Service (PCS) phone, a hand-held PC, a Global System for Mobile (GSM) phone, a wideband CDMA phone, an EV-DO phone, an EV-data and voice (DV) phone and a Mobile Broadband System (MBS) phone.

20. The system of claim 8, wherein the Play Announcement message includes the identification number of the sending terminal.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH T. PHAN whose telephone number is (571)272-7544. The examiner can normally be reached on Mon-Fri 9am-6:30pm EST, off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph T Phan/

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